

**EDUCATION DEPARTMENT[281]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education hereby amends Chapter 102, “Procedures for Charging and Investigating Incidents of Abuse of Students by School Employees,” Iowa Administrative Code.

The amendments are the result of routine Department review of these rules, as well as feedback from “designated investigators,” as that term is defined in these rules. The amendment in Item 1 conforms the definition of “sexual harassment” to the definition in Iowa Code section 280.28. The amendments in Items 2, 3, 6, 7, and 8 avoid use of the word “victim” inasmuch as that term is not in the underlying statute. The amendments in Items 4 and 5 are proposed as a result of actual practice and to make the process more user-friendly for students and their families. The amendments in Item 9 are not substantive and are made to reflect the correct numbering system for the Iowa Administrative Code.

An agencywide waiver provision is provided in 281—Chapter 4.

Notice of Intended Action was published in the December 15, 2010, Iowa Administrative Bulletin as **ARC 9268B**. Public comments were allowed until 4:30 p.m. on January 4, 2011. No written or oral comments were received.

These amendments are identical to those published under Notice.

These amendments shall become effective March 30, 2011.

These amendments are intended to implement Iowa Code section 280.17.

EDITOR’S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [amendments to Ch 102] is being omitted. These amendments are identical to those published under Notice as **ARC 9268B**, IAB 12/15/10.

[Filed 1/28/11, effective 3/30/11]

[Published 2/23/11]

[For replacement pages for IAC, see IAC Supplement 2/23/11.]